

Technology Administration

October 27, 2004

Laureen Daly
Office of Technology Policy
Technology Administration HCHB 4817
1401 Constitution Avenue, N.W.
Washington, D. C. 20230

Dear Ms. Daly,

Thank you for the opportunity to comment on electronics recycling issues. Over the past three years, Metro, a regional government in the Portland metropolitan area with more than 1.3 million residents, has participated in the NEPSI dialogue. As the Metro representative in that process, I would like to pass along the following suggestions on the four areas comments were requested on regarding what a national system might include:

1) Definition of covered products:

- TVs (including projection TVs)
- Monitors (including CRTs and flat panel displays)
- Personal computer CPUs (including laptops)
- Computer peripherals (printers, scanners, multi-function devices, mice, keyboards)
- TV peripherals (DVD players, VCRs and related devices)
- Cell phones

In a system with advance fees (either visible or non-visible to the consumer), not all products would have to carry the fee. For example, mice and keyboards could be collected within the system but excluded from the fees.

There should be provisions in any federal legislation establishing procedures to administratively add products to the system. This would allow the system to reflect market innovations. This is especially important if the system is initially set up for a more limited scope of products than is listed above.

2) Collection and the role of government in collection:

See comments under #3 below

- 3) Financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry, and intermediaries in financing:
 - The financing system should employ a “front-end” approach in which the end-of-life management costs are reflected in a product’s initial purchase price.
 - An Advanced Recycling Fee (ARF) could be established for a limited period of time (e.g., seven years) to cover the cost to collect and recycle historic and orphan products. After that time, the “front-end” approach could be continued by having responsibility for the costs of transporting products from collection sites to recycling facilities be borne by the manufacturers of the products.
 - The front-end fee (ARF) should be sufficient to cover the cost to collect, transport and recycle products in an environmentally sound manner. The system should provide reasonable service to both urban and non-urban residents.
 - Collection services in communities should be assisted by “collection incentive payments” funded by the ARF. Retailers, non-profit agencies, private companies or government agencies could provide the collection services.
 - The ARF should be managed by an independent non-government organization. The ARF funds should be dedicated to the system and not available for other government uses.
- 4) Role of the federal government in creating a national recycling plan:
 - Federal legislation would be expected to establish the basic elements of the system – including initial scope of products covered, initial level of an ARF, procedures to ensure manufacturer participation in the system and performance goals for the system.
 - An independent electronics stewardship board or organization could be established that would manage the overall performance of the system, including oversight of the entity managing the ARF. It could be empowered to perform functions such as adjusting the ARF, adding products to the system and assessing system performance.

Thank you,

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Solid Waste and Recycling
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October 27, 2004

Technology Administration, U.S Department of Commerce
Submitted Via Internet

Re: Request for comments on electronics recycling (Docket # 04-23499).

Dear Sir/Madame,

The Solid Waste Association of North America (SWANA) is submitting the following comments in response to the above request on electronics recycling. SWANA is a not-for-profit association with a membership of over 7,000 solid waste professionals representative of local governments and companies from across the U.S. and Canada. Our members are involved in all aspects of municipal solid waste management, including the end-of-life management of electronics, thus SWANA has an interest in this proceeding, as most of our members will be significantly affected by regulations implemented regarding electronics recycling.

It is SWANA's position that this report has been heavily influenced by the technology industry, which is apparent from the list of participants at the Technology Recycling Roundtable, as there was no representation from local governments who are currently operating the vast majority of electronics collection and recycling programs. I cannot emphasize enough that local governments will inevitably be involved with carrying out any possible future programs that this report recommends to Congress. It is our position that this report will be flawed and incomplete due to the Technology Administration's actions, whether intentional or not, to keep certain members of the solid waste community away from the table. Also, the abbreviated comment period of seven days is further proof that this report is designed to display a one-sided view of electronics recycling. SWANA will closely scrutinize this report upon its release. The following comments reflect the complexity of the issues that the Department of Commerce wishes to address in its report and why the comment period is completely insufficient. SWANA reserves the right to submit further comments as well as modify comments that are submitted due to the grossly inadequate comment period.

The Technology Administration has solicited comments on specific issues regarding electronics recycling, including the definition of what products should be included; collection and the government's role in collection; financing collection, transportation and recycling and stakeholders role in financing; and the role of the federal government in creating a national recycling plan. As discussed above, SWANA does not feel the time allotted for the comment period allows for the preparation of a meaningful discussion of each of these issues, as discussed in the following pages.

The Solid Waste Association of North America
1100 Wayne Avenue, Suite 700 • Silver Spring, Maryland 20910 • (301) 585-2898
www.SWANA.org

1. Definition of Covered Products

If the goal of electronics recycling is pollution prevention, then electronics with the highest quantities of hazardous or toxic substances should be prioritized for alternative management techniques to prevent their introduction into landfills or waste-to-energy facilities. The definition would be based on electronic products which contain the highest percentage of hazardous substances that could be released into the environment when sent for disposal. The definition should also take into account the mechanism whereby the hazardous substances would be released into the environment; i.e., if the hazardous substance is very easily released upon disposal, this product should be prioritized for recycling (An example would be the easily-broken mercury-containing light bulbs that illumine flat-panel displays in laptops or screens – these would readily be crushed in a normal trash truck, releasing mercury on streets and equipment and posing a tremendous health and environmental risk). Conversely, if the electronic product contains high quantities of materials that are easily recycled and/or are of high value, this should also be taken into consideration. The goal of the Technology Assessment program should be clearly elucidated to identify the products that contain the greatest quantities of hazardous substances to prevent their release into the environment and recoverable material to be reused or recycled.

There has been much research conducted and many discussions on the issue of what products should be covered in any type of legislation or regulations addressing management of electronic waste. The Department of Commerce must realize that the types and quantities of electronic products that are manufactured continue to grow, both in numbers and complexity. Multi-functional products are becoming more prevalent, and these products will prove even more difficult to define in terms of their waste constituents and recyclability. It is important that whatever legislation that is eventually promulgated should take this into account by being broad enough in scope to address both older generation electronics, as well as the emerging trends in consumer electronics bound to enter our nation's waste stream in the decades to come.

2. Collection and the Role of Government in Collection

It would be impossible to legislate a collection system that is appropriate for all areas of the country, which range from large urbanized areas to remote rural communities. Electronic waste is collected virtually every possible way at this time: from public sector curbside pickup to private sector collection events to distributor and manufacturer take back programs. The role of government in collection will also vary depending on existing collection systems, resources, contracts, policies and procedures. For these and other reasons, this issue may be more appropriately addressed at the local and regional levels.

Governmental roles in collection need to be evaluated on the federal, state and local level since each of them would have distinct responsibilities in this process. Governmental agencies at the local level often cannot offer services to manage and recycle electronics unless there is action at the state level requiring that certain management techniques be implemented. Many states are hesitant to enact state legislation, either banning disposal or requiring recycling unless there is action at the federal level.

At the very least, there needs to be education regarding the management of electronics, especially in light of the fact that

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older televisions will start to be disposed of at a rapid rate due to technology changes in the near future. Additionally, many of today's technology-based businesses that rely on computers and other electronics to drive their business need to be aware that they can become regulated as generators of hazardous waste, subject to both federal and state hazardous waste regulations, based on the quantity and frequency of equipment replacement schedules. These businesses may generate the highest quantity of electronics waste and thus need to be held accountable for their impact. These types of businesses typically do not perceive themselves as generators of hazardous waste, but they need to be aware of their role and responsibility in waste generation.

Also, governmental incentives need to be created to encourage manufacturers to reduce the quantities of hazardous/toxic substances used in the manufacturing of electronic products.

3. Financing Collection, Transportation and Recycling and Stakeholders Role in Financing

A number of states have adopted, or are considering legislation that includes funding for electronic waste recycling programs. These may be in the form of fees on consumer products at the point of purchase, requirements for manufacturers to internalize portions of the costs for recycling, or fees for collection and recycling. Further complicating the system are methods to reimburse collectors and recyclers for their efforts. Producer responsibility financing policies create a strong incentive for changes to products that keep environmental goals at the forefront of consideration during production and these policies can leverage private-sector efficiency to re-capture the most value from end-of-life electronics. Advanced recovery fees (ARF) under discussion may not be enough to cover the costs of all the products that will become obsolete over the next 10 to 20 years. An ARF may also create another fund that must be managed appropriately. Again, much work has been done on this issue, including the work of NEPSI and other groups. The Technology Administration report must take into consideration the previous work done on this issue, and include input from those organizations and efforts.

Financing the management and recycling of orphan electronics is a much more difficult issue and must be conducted in an equitable fashion with the ultimate goal of removing these products from the waste stream.

4. Role of the Federal Government in Creating a National Recycling Plan

As mentioned above, it is difficult to imagine federal legislation that will effectively address all of the issues surrounding electronics recycling in a manner appropriate for all communities in the nation. There are several things related to the development of the electronics recycling market that the federal government can do besides enacting legislation. Some examples are:

- In the spirit of the Basel Convention that bans the export of hazardous waste from OECD countries to developing countries, there should be a mechanism put in place to prevent environmental and public health problems resulting from the dumping and manual disassembly taking place in developing countries.
- Support enforcement of Federal Executive Order 12898 (environmental justice), which requires that each

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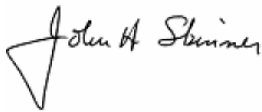
federal agency include environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately adverse human health or environmental effects of its programs, policies, and activities in low-income populations in the United State and its territories.

- Consider amending RCRA to allow for modified TCLP testing procedures.
- Finally, local government should play a role in the education of consumers and businesses alike, and promote the proper reuse and recycling of electronic products.

When the federal government mandates a program, a certain level playing field is created which also acts to reinforce the message about the issue at hand. If the federal government takes a role in this issue, then all contributors, whether they are manufacturers or consumers of these products, will have an awareness of the impact of these products when they reach end of life. However, the federal role must also include a financing mechanism to ensure that requirements to prevent the introduction of hazardous and toxic compounds contained in these products into the waste stream actually get implemented.

As United States consumers enjoy greater access to affordable electronic products, the importance of electronics recycling and disposal will grow considerably. It is important that this issue is approached with all stakeholders at the table. I hope in the future that the Department of Commerce will give greater consideration to solid waste professionals and local governments when developing a position on an issue affecting the solid waste field.

Respectfully Submitted,



John H. Skinner, PhD.
SWANA Executive Director and CEO

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Technology Administration

October 27, 2004

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Technology Administration, HCHB 4817
1401 Constitution Avenue NW
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Dear Ms. Daly:

Thank you for this opportunity to comment on the following specific electronics recycling issues. The King County Solid Waste Division provides garbage transfer, disposal and recycling services for residents and businesses in King County, Washington. The Division's service area has a population of about 1.14 million, or about 68 percent of King County's population as a whole, and King County customers will dispose of an estimated one million tons of solid waste in 2004.

King County has adopted a policy of Product Stewardship for electronic products, whereby we believe that electronics product designers, retailers, manufacturers, consumers and other parties that benefit from the sale and use of these products should share in the cost and handling of electronic products when the products become wastes.

In January 2005, the Division will ban computers, TVs and cell phones from disposal at our transfer stations. These products contain hazardous materials and the Division believes that they are best handled by either recycling them in an environmentally sound manner or by handling them as hazardous waste.

Following the product stewardship principles, the Division has chosen not to collect and recycle this material at its facilities, but instead, we are working with the private sector to handle this waste stream. As an interim measure while waiting for a better, national solution we have coordinated with the private sector to establish a network of 19 electronics retailers, recyclers and non-profit organizations who collect and process this equipment. The network is called the [Take it Back Network](#). This interim, private sector solution is based upon an end-of-life fee which is charged to the consumer. Fees for computer recycling range from \$5.00 a unit to \$15.00, and televisions can range from \$25.00 to \$65.00 for large, big screen TVs.

The King County suburban cities also provide periodic recycling collection events for residents in their cities. Over the past several years they have added electronic equipment to the list of recyclable materials that can be brought to the events for a fee. This is another interim measure meant to fill the gap of services until a national system is implemented.

While these fees are paid by many individuals and businesses, it is not an ideal solution. The fee unfairly burdens local charities that often end up with computers and TVs that they cannot sell. Therefore, they are faced with the costs to recycle this equipment and these costs take away from the funds they have to provide community services.

The Division and several other local governments in the [Northwest Product Stewardship Council](#) applied for and received grant funds from the Environmental Protection Agency (EPA) to test the feasibility of collecting used electronics in the retail setting, and to determine whether this arrangement could provide the public with a network of convenient, ongoing drop-off locations. In addition, the pilot project would follow a product stewardship model where government, electronics retailers, electronics manufacturers, and consumers would share in the cost of the program to provide a solution to the e-waste problem.

Good Guys stores participated in the pilot project and accepted televisions from the public for a period of four weeks in July and August of 2004. A report will be available to the public in the first quarter of 2005. Office Depot stores participated in a separate pilot and collected computer equipment at all their stores in the continental United States for free. This pilot lasted a period of six months. We are currently working with Office Depot to develop a report on the project, but do not have a final due date yet.

King County also supported [House Bill 1942](#) which was introduced to the Washington State legislature in the fall of 2003, but did not pass. This bill would have required electronics manufacturers to develop, implement, and finance the

implementation of a plan for the collection and the recycling, or reuse of sixty-five percent, by weight, of all electronic waste from their own products each year. The plan must provide and promote convenient, strategically located fixed collection sites to serve urban and rural populations throughout the state. The bill was very flexible and relied on the manufacturer's creativity to develop the recycling system.

In the spring of 2004, a different bill, [House Bill 2488](#) was passed which directs the Washington State Department of Ecology to work with the state Solid Waste Advisory Committee (SWAC) to conduct research and develop recommendations for implementing and financing an electronic product collection, recycling, and reuse program. Reports are due to the legislature in December 2004, and December 2005. Division staff participate on the technical team.

By making electronics manufacturers responsible for recycling their own products, manufacturers have an incentive to design products that are more recyclable, and contain fewer hazardous materials. Product stewardship policy tools also shift the costs of managing these products from local governments, and rate payers, to manufacturers, and others that benefit from the sale and use of these products.

The Division concurs with the comments sent to you by our neighboring local government agencies, Snohomish County, City of Tacoma, and Portland Metro. The comments below echo some of the same points.

(1) Definition of covered products

- Covered electronic products should include the following:
 - Computers
 - Computer monitors including CRTs and flat screens
 - Laptops
 - All large and small peripherals related to computers
 - Televisions
 - All large and small peripherals related to TVs, including VCRs
 - All Audio Visual equipment and related peripherals and similar devices
 - Cell phones
- Covered products should include products generated by any entity, including large and small businesses, institutions, governments, schools, charities, and residents.
- The system should be designed so that electronic products can be added into the system over time, as new products are developed that contain hazardous materials and are expensive to recycle.

(2) Collection and the role of government in collection:

- The collection system should be convenient. It should be as easy for the consumer to recycle their electronic equipment as it is to buy it.
- The role of government in collection would be limited. Many local governments do not have the space or the funding to set up collection sites. In King County, space is very constrained at our eight transfer stations and there is no additional space to site a trailer for the collection of electronic equipment.
- For those governments that do have space, they would need funding to establish a collection site, package, and store the materials, and then transport the materials to a processor.
- Those providing collection and transportation to the processors should receive a "collection incentive payment" to encourage a diversity of entities, who meet certain standards, to provide collection services to customers (see the next section on financing for more detail).
- The payment of the collection incentive should be available to any collector type that meets certain standards, including charities, private recycling businesses, retailers, manufacturers, and government programs. No entity should be required to provide collection, but the payment system should be established such that it provides an incentive for a variety of entities to become part of the collection system.
- Government would assist in educating the public about the issue, the new system, and available recycling and reuse opportunities.

(3) Financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry, and intermediaries in financing.

- The entire system should be financed using a front-end financing mechanism where the cost is incorporated into the price of the product and there is no charge to the consumer at the time of recycling. All costs for management of products should be considered part of the manufacturer's regular cost of doing business, and included in the price of the product at the time of sale (cost internalization). This type of front-end financing mechanism gives manufacturers the feedback and financial incentive to design products that are less toxic, and more easily recycled, while creating markets for recycled materials derived from electronic products.
- Financing must be adequate to provide for an environmentally sound recycling system not dependent on export of hazardous materials or use of prison labor.
- Financing must be adequate to provide for convenient collection in both urban and rural areas. It should be as easy for the consumer to recycle their electronic equipment as it is to buy it.
- Orphan products should be financed collectively by the industry, e.g. prorated by market share by electronic product type, at the time the waste management costs are incurred.
- The whole system, including collection, consolidation, transportation, reuse, recycling, and any necessary disposal, would best be managed and financed by individual manufacturers, and/or through a Third Party Organization (TPO), made up of manufacturers and industry representatives. It is likely that this type of system would result in individual manufacturers and/or a TPO contracting with a number of electronics processors throughout the country.
- Electronics processors would receive payment (a set rate per pound) from the TPO for materials that are recycled. Part of this payment would be allocated by the processor to collection entities that meet certain standards. This collection incentive payment (CIP) would encourage various entities including charities, haulers, private recyclers, retailers, manufacturers, and governments to serve as collectors. Collectors that provide collected products to the processors will be paid a set rate per pound for materials that enter the system.
- Recycling and reuse programs should not be funded with end-of-life user fees. These fees discourage return for recycling, and they unfairly burden charitable organizations that cannot collect fees for recycling, but continue to get stuck with this material at their donation sites.
- Recycling and reuse programs should not be funded with advance recycling fees that are managed by federal or state governments. This type of a system would absolve manufacturers of any responsibility, could need to be supplemented with taxpayer money, and could easily be raided for use in other government programs.

(4) The role of the federal government in creating a national recycling plan

- National legislation is needed to establish a financing mechanism, performance standards, and to address free rider issues. National legislation can help to level the playing field by requiring all manufacturers to participate in the system. Voluntary programs can not be sustained, if manufacturers can avoid costs by not participating.
- National legislation can address commerce and competition issues. Programs that vary between states will encourage illicit movement of materials between states to collect state fees and payments on that material. Charging advance recovery fees on products in a state bordering a state, with no program, may encourage consumers to shop across state lines to avoid the fee, and later the system will incur costs for an obsolete product, on which a fee was not collected at the time of purchase.
- National legislation will avoid the confusion and expense to manufacturers caused by different legislation passed by multiple states. Keeping up with all of the different regulations will be time consuming and expensive for electronics manufacturers.
- National legislation provides economies of scale including more competitive pricing, harmonized consumer education across the nation, and better logistical management. In addition, as people and businesses move from one state to another they will continue to benefit from a program they have paid into. They would not lose the service that they paid into in another state.
- A national solution will save considerable taxpayer and ratepayer money, which is now being spent by each local and state government trying to address this issue.
- National rules are needed to ban the export of hazardous electronic waste to developing countries, either for disposal or for recycling. Regulations are needed to require environmentally sound recycling.

Thank you for this opportunity to provide comments. If you have questions or would like further input, please call Lisa Sepanski, Project/Program Manager, at 206-296-4489, or send her an email at lisa.sepanski@metrokc.gov.

Sincerely,

Theresa Jennings
Division Director

TJ:LS:mw
s\tibn-commerce

Technology Administration

St. Louis County (MO) Department of Health – Solid Waste Management Program

Email Received 10/27/2004

Ms. Daly:

Thank you very much for your assistance. Attached is a summary of our comments. The St. Louis region has been actively working on developing a sustainable regional approach for proper management of obsolete electronics. We have participated in Best Buy events and tried to work with Office Depot in promoting their program. Several larger processors are interested in expanding into the St. Louis market due to this organized effort. Also, a state legislator is awaiting the outcome of the task force process prior to developing proposed legislation. We look forward to implementation of a national recovery program and the outcome of the US DOC process. Thank you for the opportunity to contribute.

Laura M. Yates, Waste Management Specialist
Saint Louis County Department of Health
Solid Waste Management Program

October 27, 2004

Brian van Hook
Office of Technology Policy
Technology Administration
U.S. Department of Commerce
HCHB - Room 4814
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Mr. van Hook:

The St. Louis Regional Electronics Recycling Task Force respectfully submits the following comments on the four topics outlined in the U.S Department of Commerce's request for input on developing a national solution to collecting and recycling obsolete electronics:

1. **What products should be covered?** Include those products that, when landfilled or incinerated, would release hazardous constituents, thus potentially contaminating groundwater or air.

At a minimum:

- Cathode Ray Tubes (computer monitors and television sets)
- Additional materials on the University of Florida "Hot List": printers, cell phones, remotes, keyboards, video cassette recorders, smoke detectors

2. **Actual Collection Methods:**

Establish an effective network of permanent, ongoing collection locations that are open on a regular and predictable schedule (NOT one-day collection events=limited availability). Drop-off locations could include electronics retailers, electronics recyclers and reuse organizations, municipal facilities, solid waste management facilities, etc. To ensure proper management of collected materials, collection locations and downstream processors, some level of qualification would be necessary for collection sites to be used or selected.

This approach offers residents convenient opportunities to drop-off obsolete electronics when they need the service, expands the local infrastructure and provides local economic development (jobs creation, etc.), and is more cost-effective than one-day events and curbside collection (in most localities). However, the more convenient we can make recycling and reuse of obsolete electronics, the greater participation we can expect. Thus, a menu of options would be optimum: charitable organization door-to-door, curbside collection service, manufacturer take-back, and permanent locations.

3. **Financing Methods:**

Prefer a product stewardship approach where the costs and responsibility for proper management of obsolete electronics is shared among those in the life-cycle of these products: manufacturers, retailers, solid waste industry, consumers and local government. This approach promotes sustainable production and consumption of consumer electronics.

Whether funds are generated through an advanced recycling fee or built-in to the cost of production, the collected funds need to be dedicated to operating the national collection program (cannot be "raided" for another purpose, establish a third party organization to manage=RBRC). Also, manufacturers need to be provided with an incentive to design more environmentally friendly products (reduce toxic components, easier to recycle, etc.).

4. **Role of Government in Electronics Recycling:**

In April/May 2004, the St. Louis Regional Electronics Recycling Task Force performed a market survey of reuse and recycling organizations that collect or were interested in collecting obsolete electronics. Survey results included comments on what is the role of government that included:

- Primary responsibility is to educate the general public on the benefits of properly managing obsolete electronics, the hazards in consumer electronics, and the importance of recycling/reuse. Publicize local reuse and recycling outlets.
- Support environmentally preferable procurement guidelines. Serve as a role model for purchasing environmentally preferable products and drive market demand.
- Provide incentives (financial, regulatory) for recycling business development:
 - Grants
 - Low-interest loans
 - Tax credits
 - Landfill bans
 - Producer responsibility laws

The St. Louis Regional Electronics Recycling Task Force appreciates the opportunity to contribute to the national dialog on establishing a national recovery program. The task force supports a product stewardship approach to addressing this critical waste management issue as the most responsible and sustainable solution. If you have any questions or comments, please feel free to contact Laura Yates, Saint Louis County Department of Health at 314-615-4035 or lyates@stlouisco.com. Thank you.

Sincerely,

St. Louis Regional Electronics Recycling Task Force:

Champions for Children
Chesterfield Citizens' Committee for the Environment
City of St. Louis Refuse Division
City of Town and Country
City of St. Peters Environmental Services
East-West Gateway Council of Governments
Hi-Tech Charities

Jefferson County Solid Waste Management Program
St. Charles County Environmental Services
Saint Louis County Health Department
St. Louis-Jefferson Solid Waste Management District
Tri-Rinse, Inc.
University of Missouri-Extension
Web Innovations Technology Services

St. Louis Regional Electronics Recycling Task Force was established in April 2003 for the purpose of developing a regional and sustainable consumer electronics recycling program for area residents. The task force process is part of a grant project funded by St. Louis-Jefferson Solid Waste Management District and co-sponsored by Saint Louis County, Jefferson County, City of St. Louis and St. Charles County (Missouri counties, part of St. Louis Metropolitan Area, representing over 2 million population). In addition to pledged task force members, several key stakeholders including local electronics recycling companies, solid waste industry, local government, environmental organizations, regulatory agencies, and interested citizens, are actively participating in the task force process.

The task force developed a pilot collection program that focuses on expanding the local infrastructure for reuse and recycling of old electronics, so as to provide permanent, on-going collection locations for local residents. The task force recommended that collection sites charge drop-off fees, as necessary, to cover all collection and processing costs, instead of grant funding subsidy, to support program sustainability. Grant funds were targeted for some one-time start up costs (as a n incentive to local businesses to serve as host sites for the pilot collection program. The remaining grant funds were allocated for conducting a comprehensive regional education and awareness campaign for the pilot collection program. The kick-off date for the pilot collection program is anticipated in Spring 2005.

By expanding public awareness of the environmental benefits of properly managing old electronics, the task force anticipates that the pilot collection program will drive consumer demand and strengthen the local reuse and recycling infrastructure. Also, the task force will adopt a certification or approval process for host collection sites, thus encouraging sound business and environmental practices. We expect that these conditions will prepare the St. Louis region for implementation of a national recovery strategy or voluntary industry programs.

TAV Electronics

Email Received 10/22/2004

To whom it may concern,

At this point an injustice has been levied against the end users of electronics that want to dispose of CRT's, computers, electronic devices and appliances. Most waste disposal sites now charge a "fee" to dispose of these items. They then turn around and have a recycling/reclaiming company pick them up. This company also charges a "fee" to pick up the items for recycling where they recycle and then sell the materials for a profit. THIS IS NOT RIGHT!!! These reclaiming companies are being PAID to pick up their raw materials where they turn around and get paid AGAIN for the reclaimed materials. The recyclers should be paying the consumers and collection sites for this material as it has value for them. Many times this can be over 5 thousand dollars per ton!

When a logger clears a house lot and brings the trees to a sawmill, the loggers don't have to PAY the sawmill for the honor of disposing of those trees! The sawmill PAYS the loggers for the trees that are the sawmills raw material. The trees have value for the sawmill and the profit is made when the raw materials are processed and sold. The same should be true of the discarded electronic devices. Those who are doing the actual recycling should be PAYING the persons they are getting their raw materials from. This is the way it normally works in America!

Somebody has placed the horse before the cart here!

The companies that produce CRT's can reuse ALL the materials in that CRT to produce more new product! The glass could also be used by companies that make window glass or other decorative glass items. Most all of the other materials used to make electronics can ALSO be reused.

I believe the manufacturers of electronic items should ultimately be responsible for the collecting of discarded electronics. The towns, cities and end users should NOT be the ones to bear the expense of disposing of electronic items that are no longer of use.

The consumers are not charged when there are collection days where hazardous materials like paint, pesticides, waste oil and other chemicals are collected. WHY then, are consumers being charged for discarding electronics that are not dangerous???? This is not right!!!...

TAV Electronics



October 26, 2004

Laureen Daly
Office of Technology Policy
Technology Administration HCHB 4817
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Dear Ms. Daly,

Thank you for your efforts in this area. Texas Campaign for the Environment (TCE) is extremely interested in the proper handling of electronic waste. TCE strongly believes that extended producer responsibility or producer takeback is the best policy tool to increase recycling and design for the environment, while shifting costs from taxpayers to manufacturers and consumers. In Texas, we estimate the cost of proper recycling and disposal of electronic waste at more than \$600,000,000. With the shortfalls in government budgets at all levels, these costs must be borne by the producers and brand-owners of the product.

In addition, thousands of Central Texans have written letters to support producer takeback. In a recent poll in the City of Austin, approximately 60% think that manufacturers should be responsible for paying for computer disposal. In fact, Dell and HP have embraced this concept, as well.

TCE has been an active member of the Computer TakeBack Campaign (CTBC) since April 2002. We would support a national electronics producer responsibility system that meets the three principles of the CTBC campaign: Take it back, make it clean, and recycle responsibly.

With regards to the specific areas that you have identified for investigation, TCE is in agreement with other CTBC organizations as outlined below:

(1) Definition of covered products

- The program should cover all the electronics that are covered in the European Union's WEEE Directive. This includes a wide range of products that have a circuit board and plug, such as televisions, computers, refrigerators, stoves, toasters, hair dryers, radios, electronic tools, smoke detectors, etc.
- The Federal Register indicates that roundtable participants suggested that a list of products for recycling should be limited to a small number of items to start with and have a timetable for expansion of the list. If a decision is made to initially start with a smaller list than covered in the WEEE Directive, that list should include - at a minimum - the following:
 - Computers
 - Computer monitors including CRTs and flat screens
 - Laptops
 - All large and small peripherals related to computers, including multi-functional devices
 - Televisions
 - All large and small peripherals related to TVs, including VCRs
 - Cell phones
- All of the above should include products generated by all entities, including large and small businesses, institutions, governments, schools, charities, and residents. This is critical to meeting the needs of all parties with regard to the management of electronics, and it will serve to create a sufficient economy of scale for a national program to function.

(2) Collection and the role of government in collection:

- The whole system (including collection, consolidation, transportation, reuse, recycling, and any necessary disposal) should be arranged and financed by individual manufacturers and/or through a Third Party Organization (TPO) made up of manufacturers. It should not be arranged or financed by the federal government or local governments.
- It is likely that this type of system would result in individual manufacturers and/or a TPO contracting with a number of electronics processors throughout the country. There should be a guarantee that these processors provide environmentally sound processing without the use of prison labor and that no hazardous electronic waste is exported to developing countries.
- Those providing collection and transportation to the processors should receive a "collection incentive payment" to encourage a diversity of entities - who meet certain standards - to provide collection services to customers.
- The payment of the collection incentive should be available to any collector type that meets certain standards, including charities, private recycling businesses, retailers, manufacturers, and government programs. No entity should be required to provide collection, but the payment system should be established such that it is beneficial to and desirable for many entities to do so.
- Alternately, TCE would also support a collection system arranged and financed by manufacturers who elect to partner with specific retailers or other entities as long as the system is free to the customer, convenient in both urban and rural areas, and does not result in an unfunded mandate to local governments.
- Local governments should not be put in the position of needing to collect and transport electronics without being adequately paid for doing so.
- The collection system must be convenient. It should be as easy to recycle a computer (TV, cell phone, etc.) as it is to buy one.
- Local and state governments, along with manufacturers, will have a role to play in helping promote collection and recycling systems to residents.

(3) Financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry, and intermediaries in financing

- Each manufacturer (brand owner) should be individually responsible for financing the end-of-life collection, transportation, recycling, reuse and disposal of their future and historical products. This places responsibility on the party with the greatest ability to reduce the environmental and human health impacts of products – the brandowner.
- All costs for end-of-life management of products should be considered part of the manufacturer's regular cost of doing business and included in the price of the product at the time of sale (cost internalization).
- This type of front-end financing gives manufacturers the feedback and financial incentive to design products that are less toxic and more easily recycled while also creating markets for recycled materials derived from electronic products.
- Financing must be adequate to provide for an environmentally sound system not dependent on export of hazardous materials or use of prison labor.
- Financing must be adequate to provide for convenient collection in both urban and rural areas.
- Orphan products should be financed collectively by the industry, e.g. prorated by market share by electronic product type at the time the waste management costs are incurred.
- Recycling and reuse programs should **not** be funded with end-of-life user fees. These fees discourage return for recycling. Surveys and experience have shown that programs relying on end-of-life fees do not make much of a dent in the e-waste problem.
- Recycling and reuse programs should **not** be funded with advance recycling fees managed by federal or state governments. This type of a system would absolve manufacturers of any responsibility, could need to be supplemented with taxpayer money, and could easily be raided for use in other government programs.

(4) The role of the federal government in creating a national recycling plan

Because the NEPSI process has been unsuccessful in coming to a workable solution, individual states have passed - and will continue to pass - legislation to respond to the growing electronic waste problem. However, TCE would strongly prefer a national system based on producer responsibility rather than a patchwork and partial state-by-state system. The following are some components of an expanded federal role.

Technology Administration

- Pass federal producer responsibility legislation so that all competing producers within a product category are mandated to participate and meet the same high standards. This will provide a level playing field for all manufacturers and ensure that there are no “free riders.”
- The federal legislation should also establish measurable rates and deadlines as well as reporting requirements to ensure an effective system. The federal government would report the results to the public.
- Assist in providing education and promotion to the public on the issue, the new system and available opportunities.
- Ban the disposal of unprocessed covered electronic products and hazardous electronic waste.
- Ban export of hazardous electronic waste to developing countries either for disposal or for recycling.
- Assist in improving the regulatory environment to provide needed environmental safeguards and encourage success of the system/infrastructure.
- Expand federal agency and facility participation in environmentally preferable purchasing of electronics, support of use-phase conservation strategies, and manufacturer take-back and proper management at end-of-life. Federal purchasing power could drive substantial design improvements in electronics manufacturing and end-of-life services.

Thank you for this opportunity to provide comments. Please feel free to contact me if you have questions or would like further input.

Sincerely,

Robin Schneider
Executive Director
Texas Campaign for the Environment
611 S. Congress Ave. Suite 200
Austin TX 78704
(512) 326-5655
robin@texasenvironment.org

Oct. 27, 2004

Laureen Daly
Office of Technology Policy
Technology Administration HCHB 4817
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Ms. Daly,

Thank you for this opportunity to comment on specific issues regarding electronics recycling. VPIRG is Vermont's largest non-profit consumer and environmental advocacy organization, with approximately 20,000 members statewide. VPIRG strongly believes that extended producer responsibility is the tool to increase recycling and improve design in order to protect the environment shift costs from taxpayers to those making and using the products. This strategy is desirable both for its inherent simplicity and fairness, and for its efficiency at removing dangerous toxics from our environment.

VPIRG is a member of the Computer TakeBack Campaign (CTBC), and we support a national electronics producer responsibility system that meets the three principles of the CTBC campaign: Take it back, make it clean, and recycle responsibly. A description of these principles can be found at <http://www.computertakeback.com/about/index.cfm> and http://www.computertakeback.com/about/ctb_platform.cfm. Another excellent guideline for a national program is the Extended Producer Responsibility Working Group's statement of principles and list of essential program elements. It can be found at <http://www.eprworkinggroup.org/>.

The following are WCRC's specific comments on each of the four areas you have identified.

(1) Definition of covered products

- The program should cover all the electronics that are covered in the European Union's WEEE Directive. This includes a wide range of products that have a circuit board and plug, such as televisions, computers, refrigerators, stoves, toasters, hair dryers, radios, electronic tools, smoke detectors, etc.
- The Federal Register indicates that roundtable participants suggested that a list of products for recycling should be limited to a small number of items to start with and have a timetable for expansion of the list. If a decision is made to initially start with a smaller list than covered in the WEEE Directive, that list should include - at a minimum - the following:
 - Computers
 - Computer monitors including CRTs and flat screens
 - Laptops
 - All large and small peripherals related to computers, including multi-functional devices
 - Televisions
 - All large and small peripherals related to TVs, including VCRs
 - Cell phones
- All of the above should include products generated by all entities, including large and small businesses, institutions, governments, schools, charities, and residents. This is critical to meeting the needs of all parties with regard to the management of electronics, and it will serve to create a sufficient economy of scale for a national program to function.

(2) Collection and the role of government in collection:

- The whole system (including collection, consolidation, transportation, reuse, recycling, and any necessary disposal) should be arranged and financed by individual manufacturers and/or through a Third Party Organization (TPO) made up of manufacturers. It should not be arranged or financed by the Federal government or local governments.
- It is likely that this type of system would result in individual manufacturers and/or a TPO contracting with a number of electronics processors throughout the country. There should be a guarantee that these processors provide environmentally sound processing without the use of prison labor and that no hazardous electronic waste is exported to developing countries.

- Those providing collection and transportation to the processors should receive a "collection incentive payment" to encourage a diversity of entities - who meet certain standards - to provide collection services to customers.
- The payment of the collection incentive should be available to any collector type that meets certain standards, including charities, private recycling businesses, retailers, manufacturers, and government programs. No entity should be required to provide collection, but the payment system should be established such that it is beneficial to and desirable for many entities to do so.
- Alternately, WCRC would also support a collection system arranged and financed by manufacturers who elect to partner with specific retailers or other entities as long as the system is free to the customer, convenient in both urban and rural areas, and does not result in an unfunded mandate to local governments.
- Local governments should not be put in the position of needing to collect and transport electronics without being adequately paid for doing so.
- The collection system must be convenient. It should be as easy to recycle a computer (TV, cell phone, etc.) as it is to buy one.
- Local and state governments, along with manufacturers, will have a role to play in helping promote collection and recycling systems to residents.

(3) Financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry, and intermediaries in financing

- Each manufacturer (brand owner) should be individually responsible for financing the end-of-life collection, transportation, recycling, reuse and disposal of their future and historical products. This places responsibility on the party with the greatest ability to reduce the environmental and human health impacts of products – the brand owner.
- All costs for end-of-life management of products should be considered part of the manufacturer's regular cost of doing business and included in the price of the product at the time of sale (cost internalization).
- This type of front-end financing gives manufacturers the feedback and financial incentive to design products that are less toxic and more easily recycled while also creating markets for recycled materials derived from electronic products.
- Financing must be adequate to provide for an environmentally sound system not dependent on export of hazardous materials or use of prison labor.
- Financing must be adequate to provide for convenient collection in both urban and rural areas.
- Orphan products should be financed collectively by the industry, e.g. prorated by market share by electronic product type at the time the waste management costs are incurred.
- Recycling and reuse programs should **not** be funded with end-of-life user fees. These fees discourage return for recycling. In a 2002 survey of King County, Washington, citizens, it was found that when faced with a \$20 fee to recycle an old computer system, 34% of the respondents said they would store their computer at home instead of paying the fee. Another 4% admitted that they would put it in the garbage illegally. (See www.prrbiz.com/WCRC_Report2.pdf)
- Recycling and reuse programs should **not** be funded with advance recycling fees managed by federal or state governments. This type of a system would absolve manufacturers of any responsibility, could need to be supplemented with taxpayer money, and could easily be raided for use in other government programs.

(4) The role of the federal government in creating a national recycling plan

Because the NEPSI process has been unsuccessful in coming to a workable solution, individual states have passed - and will continue to pass - legislation to respond to the growing electronic waste problem. However, WCRC would strongly prefer a national system based on producer responsibility rather than a patchwork and partial state-by-state system. The following are some components of an expanded federal role.

- Pass federal producer responsibility legislation so that all competing producers within a product category are mandated to participate and meet the same high standards. This will provide a level playing field for all manufacturers and ensure that there are no "free riders."
- The federal legislation should also establish measurable rates and deadlines as well as reporting requirements to ensure an effective system. The federal government would report the results to the public.
- Assist in providing education and promotion to the public on the issue, the new system and available opportunities.

- Ban the disposal of unprocessed covered electronic products and hazardous electronic waste.
- Ban export of hazardous electronic waste to developing countries either for disposal or for recycling.
- Assist in improving the regulatory environment to provide needed environmental safeguards and encourage success of the system/infrastructure.
- Expand federal agency and facility participation in environmentally preferable purchasing of electronics, support of use-phase conservation strategies, and manufacturer take-back and proper management at end-of-life. Federal purchasing power could drive substantial design improvements in electronics manufacturing and end-of-life services.

Thank you for this opportunity to provide comments. Please feel free to contact me if you have questions or would like further input.

Sincerely,

Andrew Hudson
VPIRG Field Director
223-8421 x4787
drew@vpig.org
www.vpirg.org
Vermont Public Interest Research Group
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Technology Administration

Oct. 27, 2004

Laureen Daly
Office of Technology Policy
Technology Administration HCHB 4817
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Ms. Daly,

Thank you for this opportunity to comment on specific issues regarding electronics recycling, and for speaking with me last week in Minneapolis.

Washington Citizens for Resource Conservation (WCRC) is a non-profit organization focusing on waste prevention and recycling in Washington State. I will be representing WCRC on a Washington State stakeholder committee to provide input to the Department of Ecology on developing recommendations for financing and implementing a statewide solution for recycling obsolete computers and TVs. WCRC believes that extended producer responsibility is the best policy tool to increase recycling and design for the environment, while shifting costs from taxpayers to manufacturers and consumers.

WCRC is a member of the Computer TakeBack Campaign (CTBC), and we support a national electronics producer responsibility system that meets the three principles of the CTBC campaign: take it back, make it clean, and recycle responsibly. A description of these principles can be found at <http://www.computertakeback.com/about/index.cfm> and http://www.computertakeback.com/about/ctb_platform.cfm. Another excellent guideline is the Extended Producer Responsibility Working Group's statement of principles and list of essential program elements. It can be found at <http://www.eprworkinggroup.org/>.

WCRC supports the type of electronics producer responsibility system that would have been created under H.B. 1942, which was introduced in the 2003 Washington State legislative session but did not pass. To find that bill, you may go to www.leg.wa.gov and do a bill search for 1942.

The following are WCRC's specific comments on each of the four areas you have identified.

(1) Definition of covered products

- The program should cover all the electronics that are covered in the European Union's WEEE Directive. This includes a wide range of products that have a circuit board and plug, such as televisions, computers, refrigerators, stoves, toasters, hair dryers, radios, electronic tools, smoke detectors, etc.
- The Federal Register indicates that roundtable participants suggested that a list of products for recycling should be limited to a small number of items to start with and have a timetable for expansion of the list. If a decision is made to initially start with a smaller list than covered in the WEEE Directive, that list should include - at a minimum - the following:
 - Computers
 - Computer monitors including CRTs and flat screens
 - Laptops
 - All large and small peripherals related to computers, including multi-functional devices
 - Televisions
 - All large and small peripherals related to TVs, including VCRs and DVDs
 - Cell phones
- All of the above should include products generated by all entities, including large and small businesses, institutions, governments, schools, charities, and residents. This is critical to meeting the needs of all parties with regard to the management of electronics, and it will serve to create a sufficient economy of scale for a national program to function.

(2) Collection and the role of government in collection

- The whole system (including collection, consolidation, transportation, reuse, recycling, and any necessary disposal) should be arranged and financed by individual manufacturers and/or through a Third Party Organization (TPO) made up of manufacturers. It should not be arranged or financed by the Federal government or local governments.
- It is likely that this type of system would result in individual manufacturers and/or a TPO contracting with a number of electronics processors throughout the country. There should be a guarantee that these processors provide environmentally sound processing without the use of prison labor, and that no hazardous electronic waste (as defined by the Basel Convention) is exported to developing (non-OECD) countries.
- Those providing collection and transportation to the processors should receive a "collection incentive payment" to encourage a diversity of entities - who meet certain standards - to provide collection services to customers.
- The payment of the collection incentive should be available to any collector type that meets certain standards, including charities, private recycling businesses, retailers, manufacturers, and government programs. No entity should be required to provide collection, but the payment system should be established such that it is beneficial to and desirable for many entities to do so.
- Alternately, WCRC would also support a collection system arranged and financed by manufacturers who elect to partner with specific retailers or other entities as long as the system is free to the customer, convenient in both urban and rural areas, and does not result in an unfunded mandate to local governments.
- Local governments should not be put in the position of needing to collect and transport electronics without being adequately paid for doing so.
- The collection system must be convenient. It should be as easy to recycle a computer (TV, cell phone, etc.) as it is to buy one.
- Local and state governments, along with manufacturers, will have a role to play in helping promote collection and recycling systems to residents.

(3) Financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry, and intermediaries in financing

- Each manufacturer (brand owner) should be individually responsible for financing the end-of-life collection, transportation, recycling, reuse and disposal of their future and historical products. This places responsibility on the party with the greatest ability to reduce the environmental and human health impacts of products – the brand owner.
- All costs for end-of-life management of products should be considered part of the manufacturer's regular cost of doing business and included in the price of the product at the time of sale (cost internalization).
- This type of front-end financing gives manufacturers the feedback and financial incentive to design products that are less toxic and more easily recycled while also creating markets for recycled materials derived from electronic products.
- Financing must be adequate to provide for an environmentally sound system not dependent on export of hazardous materials or use of prison labor.
- Financing must be adequate to provide for convenient collection in both urban and rural areas.
- Orphan products should be financed collectively by the industry, e.g. prorated by market share by electronic product type at the time the waste management costs are incurred.
- Recycling and reuse programs should **not** be funded with end-of-life user fees. These fees discourage return for recycling. In a 2002 survey of King County, Washington, citizens, it was found that when faced with a \$20 fee to recycle an old computer system, 34% of the respondents said they would store their computer at home instead of paying the fee. Another 4% admitted that they would put it in the garbage illegally. (See www.prrbiz.com/WCRC_Report2.pdf)
- Recycling and reuse programs should **not** be funded with advance recycling fees managed by federal or state governments. This type of a system would absolve manufacturers of any responsibility, provide no financial incentive for manufacturers to make design changes, could need to be supplemented with taxpayer money, and could be raided for use in other government programs.

(4) The role of the federal government in creating a national recycling plan

Because the NEPSI process has been unsuccessful in coming to a workable solution, individual states have passed - and will continue to pass - legislation to respond to the growing electronic waste problem. WCRC supports these state efforts. However, we would prefer a national system based on producer responsibility rather than a patchwork and partial state-by-state system. The following are some components of an expanded federal role.

Technology Administration

- The federal government does not need to create a national recycling plan. Instead, it needs to pass federal producer responsibility legislation for electronics so that all competing producers within a product category are mandated to participate and meet the same high standards for collecting and recycling or reusing their electronic products. This will provide a level playing field for all manufacturers and ensure that there are no “free riders.”
- The federal legislation should also establish measurable collection and recycling rates and deadlines as well as reporting requirements to ensure an effective system. The federal government would report the results to the public.
- Assist in providing education and promotion to the public on the issue, the new system and available opportunities.
- Ban the disposal of unprocessed covered electronic products and hazardous electronic waste in landfills and incinerators, including waste to energy facilities.
- Ban the export of hazardous electronic waste (as defined by the Basel Convention) to developing (non-OECD) countries either for disposal or for recycling. The U.S. must not violate recipient countries’ obligations under the Basel Convention not to trade in hazardous waste with a non-Party (e.g. the U.S.) (Article 4, Paragraph 5).
- Implement the U.S.’s legally binding obligations under the OECD treaty to monitor and control the export of hazardous wastes, as defined by the Basel Convention.
- Fully ratify the Basel Convention with all its decisions, including the Ban Amendment.
- Assist in improving the regulatory environment to provide needed environmental safeguards and encourage success of the system/infrastructure.
- Expand federal agency and facility participation in environmentally preferable purchasing of electronics, support of use-phase conservation strategies, and manufacturer take-back and proper management at end-of-life. Federal purchasing power could drive substantial design improvements in electronics manufacturing and end-of-life services.

Thank you again for this opportunity to provide comments. Please feel free to contact me if you need any clarification or would like further input.

Sincerely,

Suellen Mele,
Program Director
Washington Citizens for Resource Conservation

206-441-1790
suellen@wastenotwashington.org
2021 Third Ave.
Seattle, WA 98121

Wisconsin Council on Recycling

Email Received 10/25/2004

Dear US Dept of Commerce ~

Attached for your use are the comments of the Wisconsin Council on Recycling for the recycling of electronics.

We are submitting comments in both Word 2000 as well as in Rich Text Format.

Please do not hesitate to contact me if you have any questions, comments, or difficulty in opening the files.

Thank you,

John Reindl, Chair

Wisconsin Council on Recycling

COUNCIL ON RECYCLING

c/o Planning and Evaluation Section
Bureau of Waste Management
Department of Natural Resources
Box 7921
Madison, Wisconsin 53707
608/267-7566

October 25, 2004

Office of Technology Policy
Technology Administration HCHB 4817
US Department of Commerce
1401 Constitution Avenue, N. W.
Washington, DC 20230

Dear Sir or Madam:

RE: Electronics recycling comments

Thank you for your solicitation of comments regarding the recycling of electronics. I am writing on behalf of the Wisconsin Council on Recycling, which was created by the Wisconsin Legislature – with members appointed by the Governor – to advise the Wisconsin Legislature, Governor, State agencies, local units of government, and businesses on recycling issues.

In 2000, the Council set up a multi-stakeholder task force to address the issue of waste computers and other electronics. Members of this task force included national manufacturers, the national trade association for manufacturers, local municipalities, electronics recyclers, university faculty, and others. After meeting for 18 months, the task force made preliminary recommendations to the Council, which then adopted final recommendations which were forwarded to the state in the fall of 2002. Recently, the Council also provided feedback on a specific waste electronics bill introduced in the Wisconsin Legislature, AB 877, found on the Internet at <http://www.legis.state.wi.us/2003/data/AB877hst.html>.

Based on the Council's discussions, the following is our feedback on each of the listed issues:

(1) definition of covered products

The Council focused on computers, computer peripherals and televisions, while AB 877 also includes mobile phones and rechargeable batteries and allows the Wisconsin Department of Natural Resources to add other items as it finds appropriate.

(2) collection and the role of government in collection

The Council recommends that manufacturers – either directly or through a third party organization – set up the recycling system. While this would allow government to become involved in collection, the Council recommends that the cost of the system be included in the cost of the purchase price of the product and not on either local units of government nor on taxpayers.

(3) financing collection, transportation and recycling, financing for orphan products, financing historical products versus future products, and the role of government, the electronics industry and intermediaries in financing

The Council recommends that the financing of the system be included in the purchase price of products. This financing would cover the cost of handling orphan and historic material. We recommend the establishment of a third party organization (TPO), such as is already in place in the US for mercury thermostats and rechargeable batteries, in Western Canada for used oil and oil filters, and in Scandinavia (especially Norway, which is said to have the highest collection rate of any country for waste electronics and electrical products) and other European

countries. The monies collected on the sale of products would then go to the TPO for those manufactures who join the TPO.

(4) the role of the federal government in creating a national recycling plan.

Both in its initial recommends in the fall of 2002 and its most recent recommendations in September 2004, the Council strongly recommended that a national solution be adopted. We believe that such a system would be far superior to up to 50 different state systems. At the same time, the Council recognizes the lack of action at the Federal level and believes that it is better to have a state system rather than no system at all.

Thank you for your solicitation of comments. We look forward to more active involvement at the Federal level to develop a solution to this growing source of recoverable material.

Sincerely,

John Reindl
Chair

**U.S. DEPARTMENT OF COMMERCE
TECHNOLOGY ADMINISTRATION**

The Technology Administration's mission is to maximize technology's contribution to economic growth, high-wage job creation, and the social well being of the United States. The Technology Administration carries out this mission by:

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- Developing and promoting measurements, standards, and technology to enhance productivity, trade, and the quality of life. This includes conducting research to advance the U.S. technology infrastructure, promoting excellence and quality achievement in U.S. business and other organizations, providing technical and business assistance to the nation's smaller manufacturers, and supporting the development of technologies for broad national benefit.
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